



**MAY 14 - 18, 2007  
ST. LOUIS, MISSOURI**

**James B. Loken, Chief Judge - Minneapolis, Minnesota**

**Circuit Judges in Active Service**

**Roger L. Wollman - Sioux Falls, SD  
Diana E. Murphy - Minneapolis, MN  
Kermit E. Bye - Fargo, ND  
William Jay Riley - Omaha, NE  
Michael J. Melloy - Cedar Rapids, IA  
Lavenski R. Smith - Little Rock, AR  
Steven M. Colloton - Des Moines, IA  
Raymond W. Gruender - St. Louis, MO  
Duane Benton - Kansas City, MO  
Bobby E. Shepherd - El Dorado, AR**

**Circuit Judges Who Have Taken Senior Status**

**Myron H. Bright - Fargo, ND  
John R. Gibson - Kansas City, MO  
Pasco M. Bowman - Kansas City, MO  
Frank J. Magill - Fargo, ND  
C. Arlen Beam - Lincoln, NE  
David R. Hansen - Cedar Rapids, IA  
Morris S. Arnold - Little Rock, AR**

## NOTICE TO ALL COUNSEL

Please review the entire calendar, as you may have more than one case scheduled for oral argument. Please check the calendar carefully for the starting time for your day and division.

*Court will be held in the Thomas F. Eagleton Courthouse at 111 S. 10<sup>th</sup> Street, St. Louis, Missouri. Division I will be held in the En Banc Courtroom on Floor 28. Division II will be held in the Southeast Courtroom on Floor 27. Counsel presenting oral argument should report to the clerk's office, Room 24.329, 30 minutes before Court convenes.*

Counsel may not waive oral argument without prior leave of court. Absent leave of court, only one attorney is permitted to present the argument for a party. However, if the parties on a side are separately represented and have filed separate briefs, each party on that side is permitted to argue; in such a case, counsel must confer and decide how they will split the time shown on the calendar. Questions should be addressed to the Clerk of Court.

Appearance forms of counsel, if not previously submitted, must be completed and forwarded immediately to the clerk's office. Every attorney who presents oral argument must be admitted to the Eighth Circuit Bar unless appointed to represent a party proceeding in forma pauperis.

The time allotted for each side's argument is noted to the right of the case. *Cases designated as NO ARG will be submitted to the Court on the briefs and record without oral argument, and counsel are not required to appear for cases designated NO ARG.*

Michael E. Gans  
Clerk of Court

**The following visiting judge is sitting with the Court in May:**

\*The Honorable John F. Nangle  
U.S. Senior District Judge  
Savannah, Georgia

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*Revised: 5/11/07*

**DIVISION I**  
**28<sup>th</sup> Floor**  
**En Banc Courtroom**

**MONDAY, MAY 14, 2007, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES LOKEN, GIBSON, WOLLMAN**

			<b>YML</b>
1.	06-3349EM	Percy Green, II v. City of St. Louis, Missouri	15
2.	06-1603WM	Michael Dunham Murphy v. Missouri Department of Corrections	15
3.	06-3903MN	United States v. Mohammed Ahmed Kattaria	15
4.	06-3421MN	Waste Management of Minnesota, Inc. v. Transcontinental Insurance Company	15
5.	06-3372MN	United States v. Richard L. Carlson	15

**TUESDAY, MAY 15, 2007, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES LOKEN, GIBSON, WOLLMAN**

			<b>JPP</b>
	06-1974MN	United States v. Ann Marguerite Crumley	
	06-2708MN	United States v. David Jon Myers	<b>NO ARG</b>
1.	06-3593SI	United States v. Clarence Frazier Banks, III	15
2.	06-2128MN	United States v. Carlos Lattrell McAdory	15
	06-3827SI	United States v. Juan Marquez-Alvarado	<b>NO ARG</b>
3.	06-3369EM	United States v. Jerry Wayne House	15

**DIVISION I**  
**28<sup>th</sup> Floor**  
**En Banc Courtroom**

**WEDNESDAY, MAY 16, 2007, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES WOLLMAN, BRIGHT, GIBSON**

			<b>MER</b>
1.	06-3263	State of Minnesota v. Centers for Medicare and Medicaid Services	15
2.	06-3568EM	Larry McKlentic v. 36 <sup>th</sup> Judicial Circuit Court, Juvenile Division	15
3.	06-4069SD	United States v. Antonio Guzman	15
4.	06-3730EM	Eileen Miller v. United States Department of Agriculture	15
5.	06-3257SD	United States v. Bud Theus, III	15

**THURSDAY, MAY 17, 2007, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES WOLLMAN, BRIGHT, GIBSON**

			<b>ABC</b>
1.	06-3884EA	Douglas B. Stalley v. Catholic Health Initiatives	
	06-4121EA	Douglas B. Stalley v. Triad Hospitals	20
2.	06-3763EM	United States v. Misael Benitez	15
3.	06-3219EA	United States v. J. C. Collins	15
4.	06-3729EM	United States v. Lisa Joy Wesley Silvaletti	10
	06-3438EM	United States v. Christopher James Lee	<b>NO ARG</b>
5.	06-3350EA	David Bass v. Flying J Inc.	10

**DIVISION I**  
**28<sup>th</sup> Floor**  
**En Banc Courtroom**

**FRIDAY, MAY 18, 2007, BEGINNING AT 8:30 A.M.**  
**BEFORE JUDGES WOLLMAN, BRIGHT, GIBSON**

			<b>LMT</b>
1.	06-3519EA	Todd Monroe v. Arkansas State University	15
2.	06-2952WA	Mytoshia Merritt v. Albemarle Corporation	15
3.	06-3842SI	Kenneth Seymour v. City of Des Moines	15
4.	06-3882EM	Michael R. Dewey v. Michael J. Astrue	10

**DIVISION II**  
**27<sup>th</sup> Floor**  
**Southeast Courtroom**

**MONDAY, MAY 14, 2007, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES BYE, SMITH, \*NANGLE**

			<b>CMD</b>
1.	06-3326SI	Wayne Schooley v. Orkin Exterminating, Co., Inc.	
	06-3486SI	Wayne Schooley v. Orkin Exterminating, Co., Inc.	20
2.	06-2930WA	Reeder-Simco GMC, Inc. v. Volvo GM Heavy Truck Corporation	15
	06-1955MN	United States v. Richard E. Reiss	<b>NO ARG</b>
3.	06-3448SI	Donna Sloan v. Michael J. Astrue	15
4.	06-2906MN	United States v. E.V.	15

**TUESDAY, MAY 15, 2007, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES BYE, SMITH, \*NANGLE**

			<b>KAS</b>
1.	07-1006SI	United States v. Lynn Tran DeRosier	15
2.	06-3396MN	United States v. Walter Piwowar	15
3.	06-4071SI	United States v. James Hance	15
	06-2332MN	United States v. Harry Solomon Hanson	
	06-3200MN	United States v. Roland Genie Roy	<b>NO ARG</b>
	06-3734SI	United States v. Byron Farrington	<b>REMOVED</b>

**4:00 P.M. BEFORE JUDGES BYE, BEAM, SMITH**

06-3599EA	Kevin Byers v. Augusta School District Board of Education	<b>NO ARG</b>
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**DIVISION II**  
**27<sup>th</sup> Floor**  
**Southeast Courtroom**

**WEDNESDAY, MAY 16, 2007, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES BYE, BEAM, SMITH**

			<b>BNS</b>
1.	06-2814WM 06-2819WM 06-3098WM 06-3099WM	United States v. Michael Hatcher United States v. Joseph Anthony Porrello United States v. Joseph Anthony Porrello United States v. Angelo Porrello	20
2.	06-3757EM	James Kenneth McAuley v. Federal Insurance Company	15
3.	06-2795 07-1442	Radfan Saleh Awad v. Alberto Gonzales Radfan Saleh Awad v. Alberto Gonzales	15
4.	06-3169EM	Carolyn Bogan v. General Motors Corporation	15
	06-2983	Duzgan Atsiz v. Alberto Gonzales	<b>NO ARG</b>
	06-3347SI	Shirley Medical Clinic v. United States	<b>NO ARG</b>

**THURSDAY, MAY 17, 2007, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES BYE, BEAM, SMITH**

			<b>DGH</b>
	06-2150ND 06-2152ND 06-2251ND 06-2518ND 06-2523ND	Jeremy Q. Mjoen v. Canadian Pacific Railway Limited Mary Ryba v. Canadian Pacific Railway Limited Kerry Kessler v. Canadian Pacific Railway Limited Trina Mehl v. Canadian Pacific Railway Limited Trina Mehl v. Canadian Pacific Railway Limited	
			<b>REMOVED</b>
1.	06-3215EM	United States v. Adrian Minnis	15
2.	06-3503MN	Tonicstar Limited v. Lovegreen Turbine Services, Inc.	15
3.	06-3562ND	Auto-Owners Insurance Company v. Tate Topa Tribal Education Board	15
	06-4017EA	United States v. Aaron Reed Hinton	<b>NO ARG</b>

**DIVISION II**  
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**Southeast Courtroom**

**FRIDAY, MAY 18, 2007, BEGINNING AT 8:30 A.M.**  
**BEFORE JUDGES BYE, BEAM, SMITH**

			<b>LAD</b>
1.	06-3551MN	Jessica T. Devin v. Schwan's Home Service, Inc.	15
2.	06-3333EA	Ricky Smith v. Insley's Inc.	15
		In re: Guidant Corp. Implantable Defibrillators Products Liability Litigation	
3.	06-3810MN	Steve Gaydos v. Guidant Corporation	10
	06-3204MN	Darrell L. Smeltzer v. Medtox Laboratories, Inc.	<b>NO ARG</b>